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09/897,805	06/29/2001	Dan Higinbotham	6927.2	5824

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EXAMINER
SHORTLEDGE, THOMAS E

ART UNIT	PAPER NUMBER
2654	

DATE MAILED: 02/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _09/28/2004_.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,2,4,6-12,16-20,23-26 and 31-35_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1,2,4,6-12,16-20,23-26 and 31-35_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   In the Amendments, received 09/28/04, applicant has amended claims 1, 4, 6, 10-12, 19, 20, 23 and 31, canceled claims 3, 5, 13-15, 21, 22, and 27-30, added the claims 32-34, and argued to over-come the rejections.

Claim Objections

2.   Claim 34 is objected to because of the following informalities: "phase" should be spelled 'phrase' within line 1 of page 15. Appropriate correction is required.

Response to Arguments

3.   Applicant's arguments with respect to claims 1, 4-6, 10-15, 19-13, and 27-31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claims 1, 2, 4, 8, 10 -12,16,17, 19, 20, 23-26, 31-35 are rejected under 35 U.S.C. 103(a)

as being unpatentable over Adachi et al (U.S. Patent 4,866,670), in view of Morohasi et al.

(5,029,084).

As to claims 1, 10, 19, 23, 31, and 32, Adachi et al. teach

a computer system containing a computer program (machine translation processor

embodying the present invention, (Fig 1, element 10, and col.2, lines 61-61). It would have been

obvious one of ordinary skill in the art that since the many elements are used to create the

processor, computer code would be used allow for these elements to communicate, (Fig. 1));

a workbench program executable on said computerized workstation (an input united

connected to a edition control unit with access to the rest of the translation processes, Fig. 1,

elements 12, and 32);

identifying text segments to be operated on (English sentence that is given via the input

unit, col. 2, line 68 through col. 3 line 1);

a partial translation application operable with said workbench program and said writeable

test data software application program, said partial sentence translation application comprised of

computer readable code (translation unit connected to the edition control unit and translation

memory unit, where the translation unit is able to divide the incoming sentence to perform partial

translation processing, (Fig. 1, element 18,32 and 25, col. 3, lines 5-10). It would be inherent

that since the partial translation is carried out within a processor, these units would contain

computer readable code so that they would be able to communicate);

interfacing with pre-exiting workbench program stored and executed on said computer

system, said workbench application program comprising at least one database of previously

translated material (a translation processor containing a control unit, which is connected to a

database, (Fig. 1, elements 32 and 16). It would have been obvious one of ordinary skill in the

art that since the many elements are used to create the processor, computer code would be used

allow for these elements to communicate, (Fig. 1));

displaying a partial sentence translation on said computer system, wherein said partial

sentence translation is said first phrase if said first phrase has been translated previously

(displaying the translated sentence on the display device, col. 4, lies 4-6).

Adachi et al. do not teach:

determining that a word of said text segment has been previously translated by comparing

said word with a database containing previously translated material; nor

determining whether a first phrase has been previously translated by comparing said first

phrase with said database containing previously translated material, wherein said first phrase

comprises said word and another word that is contiguous to said word in said text segment.

However, Morohasi et al. teach:

determining that a word of said text segment has been previously translated by comparing

said word with a database containing previously translated material (using the process of division

by longest-match by comparing the first word to a database to determine if that word has been

translated, col. 8, lines 66 through col. 9, line 2).

determining whether a first phrase has been previously translated by comparing said first

phrase with said database containing previously translated material, wherein said first phrase

comprises said word and another word that is contiguous to said word in said text segment, (find

the longest-match by adding clauses to the first clause, until the created clause is not found

within the database, col. 9, lines 1-9).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the translation system of Adachi et al. with the longest-match process of

Morohasi et al. as taught by Morohasi et al. to further increase the ability for the system to

update the database without increasing the workload, (col. 13, lines 42-47).

As to claim 2, Adachi et al. teach a database of previously translated material (translation

memory unit for storing translated sentence, col. 3, lines 12-14).

As to claim 4, Adachi et al. teach partial sentence translation memory utilize said

database contained (a knowledge data base, translation unit, col. 3 lines 2-3 and Fig. 1, and 18).

As to claim 8, Adachi et al. does not explicitly teach the writeable text data software

application program is selected from the group consisting of a word processor program, a

spreadsheet program, a presentations program and any text program recognized by a computer.

However, Adachi et al. does teach a text input, (Fig. 1, element 12). It would be obvious

to one of ordinary skill in the art at the time of the invention that the input of Adachi et al. would

be made up of any text program recognized by a computer, since the input is coupled to a

processing machine (col. 2, lines 63).

As to claim 11, Adachi et al. teach database of previously translated material is contained

within one of said workbench program and said partial sentence translation memory, (knowledge

database contained in translation unit, Fig. 1, elements 16, and 18).

As to claim 12, Adachi et al. teach database of previously translated material is contained

within said partial sentence translation memory, (a translation memory unit for storing translated

sentence, where every sentence is stored upon input, col. 3, lines 20-22).

As to claim 16 and 24, Adachi et al. teach the step of storing said partial sentence

translations in database for later use (a translation memory unit for storing translated sentence,

where every sentence is stored upon input, col. 3, lines 20-22).

As to claim 17, Adachi et al. teach a database that is stored (Fig. 1 element 16).

Adachi et al. does not explicitly teach that this is a permanent database on said computer system. However, it would be obvious to one of ordinary skill in the art to include a permanent storage method so that the translations may be kept and not lost (col. 3, liens 40-43).

As to claims 20 and 33, Adachi et al. do not teach the first word is the last word in said text segment.

However, Morohasi et al. teach finding the longest-match, by starting with a word, found within a database, and creating a clause by adding a word to the found word and comparing that clause to a database. When a created clause can't be found, the phrase is backtracked to the last found clause. Morohasi et al. does not explicitly teach starting from the last word first, however, it would have been obvious to one ordinary skill in the art at the time of the invention to find a phrase by starting with a found word, and either working to its right or left, making the original found word either the first or last word in the phrase, to further increase the ability for the system to update the database without increasing the workload, (col. 13, lines 42-47).

As to claim 25, Adachi et al. teach database of previously translated material is contained within said workbench program, (knowledge data base is contained within Translation unit, Fig. 1, elements 16 and 18).

As to claim 26, Adachi et al. teach database of previously translated material is contained within said partial sentence translation memory, (translation memory unit for storing translated sentence that is translation-processed, col. 3, lines 12-15).

As to claims 34, Adachi et al. teach displaying a partial sentence translation on said computer comprises displaying said second phrase if said first phrase has been translated and if said another word that is contiguous to said first phrase in said text segment has been translated (displaying the translated sentence on the display device, (col. 4, lies 4-6). It would be obvious that when the translated sentence is displayed all of the translated phrases would be displayed to fully display the sentence).

Adachi et al. does not teach determining whether a second phrase has been previously translated by comparing said second phrase with said database containing previously translated material, wherein said second phrase comprises said first phrase and another word that is contiguous to said first phrase in said text segment.

However, Morohasi et al. teach a longest-match method which includes finding a first phrase that is matched to a database, and finding a second phrase once the first phrase has been found (col. 9, lines 1-12).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine the translation system of Adachi et al. with the longest-match process of Morohasi et al. as taught by Morohasi et al. to further increase the ability for the system to update the database without increasing the workload, (col. 13, lines 42-47).

As to claim 35, Adachi et al. teaches displaying a partial sentence translation on said computer, comprising displaying a plurality of context options if said first phrase has been translated in a plurality of contexts (the partial sentence translation is displayed (col. 4, lines 4-

6), where the user is able to determine if the output is a bona fide translated sentence, if the

sentence is not the user is able to edit the sentence to create a correct output, (col. 4, lines 21-34).

It would be obvious to one of ordinary skill in the art that while the user is correcting the

sentence the user would be able to change the context of the sentence if it is found to be incorrect

to allow for a more correct output (col. 4, lines 42-44).

3.   Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi et al.

in view of Morohasi et al. as applied to claim 1 above, and further in view of Hargrave et al.

(6,131,082).

As to claim 6, Adachi et al. do not teach that the partial sentence translation application

ignores punctuation and capitalization.

However, Hargrave et al. teach a source language file that is broken into a plurality of

text segments. Each text segment may be a word, group of words, phrase, sentence or the like

(col. 5, lines 12-15). It would be obvious to one of ordinary skill in the art at the time of the

invention to notice that as Hargrave et al. teach the above, punctuation would be ignored since it

would be irrelevant when pertaining to only a lone word or group of words.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the translation machine of Adachi et al. with the segment selection process

of Hargrave et al. because Hargrave et al. teach when aligned text segments are searched,

translated text segments are produced (col. 5, lines 21-22).

As to claim 7, Adachi et al. does not teach text data is selected from a group consisting of

words, phrases, characters, and symbols.

However, Hargrave et al. teach each text segment may be a word, group of words, phrase,

sentence or the like (col. 5 lines 13-14).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of

invention to combine the translation machine of Adachi et al. with the segment selection process

of Hargrave et al. because Hargrave et al. teach when aligned text segments are searched,

translated text segments are produced (col. 5, lines 21-22).

4.   Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi et al. in

view of Morohasi et al. as applied to claim 1 listed in the above paragraph in view of Kaji et al.

(5,907,821).

As to claim 9, Adachi et al. does not teach data is entered into said text data program

using methods selected from the group consisting of typing, scanning, importing, FTP, and

importing from a network program.

However, Kaji et al. teaches importing and FTP (input device is a disk drive unit or a

CD-ROM drive or a communication control unit or a keyboard, col. 5 lines 25-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the translation process of Adachi et al. with the range of inputs available to

Kai et al. to enable the translation process to be more useful.

5.   Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adachi et al. in

view of Morohasi et al. as applied to claim 10, above, in view of Motoyama (U.S. Patent

5,848,386).

Adachi et al. does not teach of a database stored on network.

However, Motoyama teaches document is saved to memory such as another computer

through a network, (col. 9, lines 61-63, and Fig. 14, element 375).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the

invention to combine the translation process of Adachi et al. with the network element of

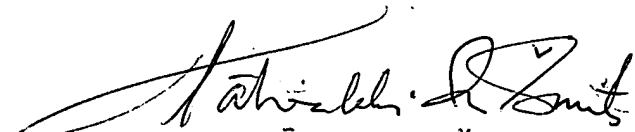Motoyama to avoid excessive local memory requirements.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas E Shortledge whose telephone number is

(703)605-1199. The examiner can normally be reached on M-F 8:00 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Richemond Dorvil can be reached on (703)305-9645. The fax phone

number for the organization where this application or proceeding is assigned is 703-

872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

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you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

TS
1/28/05

TALIVALDIS IVARS ŠMITS
PRIMARY EXAMINER